

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

PREPARED BY: Christopher M. Gratz, Planner II

SUBJECT: Site Plan, SP 8-1-04 East Broward Batch Plant, Continental Florida Materials, Inc./Charles Roy Forman & Miles Austin Forman, 3575 SW 49 Way/Generally located on the west side of SW 49 Way, approximately 400' north of the intersection SW 49 Way and SW 36 Street (Oakes Road)

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

SP 8-1-04 East Broward Batch Plant, 3575 SW 49 Way (M-4 Broward County)

REPORT IN BRIEF: The applicant requests site plan approval for modifications to the East Broward Concrete Batch Plant. The site is located on the west side of SW 49 Way, approximately 400' north of the intersection of SW 49 Way and SW 36 Street (Oakes Road). The impetus for these modifications is a Consent Order between the Florida Department of Environmental Protection and Continental Florida Materials, Inc., which requires modifications to comply with all regulations regarding the handling of waste concrete, and to better recycle and utilize on-site storm water. No new buildings are proposed. The plans illustrate a new water reclamation system, truck slumping racks, retention pond, and fuel tank. The most visible above ground structure is the 13' tall open steel frame structure with stairs and decking around the truck slumping area.

The site plan shows 33,049 square feet (0.759 acres) or 20.5 percent of open space (20 percent minimum required). The entrance wall is setback 10' from the property line and two (2) Wild Tamarind trees with a grouping of Cocoplum hedges are shown on the property. Within the adjacent rights-of-way West Indian Mahogany trees, Seagrape, Cocoplum hedges, and Bahia sod being proposed. A landscape maintenance agreement to guarantee the up-keep of these materials has been provided. It is noted that the "Forman Agreement" does not require landscaping within walled industrial sites; it only requires a 5' perimeter grass strip adjacent to rights-of-way.

The subject property lies within the Tindall Hammock Irrigation and Soil Conservation District. Approval from the District is required in order to implement the proposed drainage improvements. Staff finds that the improvements will make the concrete batch plant more compatible with the adjacent warehouses and storage yards.

PREVIOUS ACTIONS: None

CONCURRENCES: At the March 22, 2005, Site Plan Committee meeting, Mr. Engel made a motion, seconded by Mr. Evans, to approve subject to the staff report. (Motion carried 5-0)

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration.

Attachment(s): Staff Report, Site Plan

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation

Applicant Information

Owners:

Name: Charles Roy Forman & Miles Austin Forman
Address: 888 SE 3 Avenue, Suite 301
City: Fort Lauderdale, FL 33316
Phone: (954) 763-8111

Lessee:

Name: Continental Florida Materials, Inc.
Jack Raimondi, Manager Safety and Environmental
Address: 13450 West Sunrise Boulevard, Suite 430
City: Sunrise, FL 33323
Phone: (954) 858-0780

Background Information

History: No deferrals have been requested.

Site Plan Committee Recommendation: Approval was recommended on March 22, 2005.

Application Request: Site Plan approval for improvements to the East Broward Batch Plant.

Address/Location: 3575 SW 49 Way/Generally located on the west side of SW 49 Way, approximately 400' north of the intersection SW 49 Way and SW 36 Street (Oakes Road)

Future Land Use Plan Map: Industrial

Zoning: M-4, Limited Heavy Industrial District (Broward County)

Net Parcel Size: 3.699 acres (161,128.44 square feet)

Existing/Proposed Use: Concrete Batch Plant

| <u>Surrounding Uses:</u> | | <u>Surrounding Future Land Use Plan Map Designations:</u> |
|--------------------------|---|---|
| North: | B.A.F. Corporation Storage Yard JW Enterprises Warehouses/Storage Yard Harrington Warehouses/Storage Yard | Industrial |
| South: | Truck Sales, Warehouses/Storage Yards | Industrial |
| East: | Davie Concrete Corporation | Industrial |
| West: | JW Enterprises Warehouses/Storage Yards | Industrial |

Surrounding Zoning:

North, South, East & West: M-4, Limited Heavy Industrial District (Broward County)

Zoning History

Annexation/Zoning: This property is subject to the stipulated settlement agreement between the Hamilton M. and Blanche C. Forman Christian Foundation and various other Plaintiffs (a.k.a. Forman Agreement) and the Town of Davie, entered into on November 12, 1985, Broward County Circuit Court Case No. 85-003046-CT.

Plat: The plat, The Foundation Plat Two, was approved on April 6, 1994, and was subsequently recorded in Plat Book 159, Page 2, of the official records of Broward County on July 28, 1995.

Applicable Codes and Ordinances

The “Forman Agreement” entitles the owner to use the pyramidal zoning regulations of the M-4, Limited Heavy Industrial District of Broward County that were in place at the time of the annexation. The agreement states that when a use is permitted for the first time by the regulations, then those are the development standards that apply. The use “Concrete Batch Plant” is first allowed in the M-3, General Industrial District.

M-3, General Industrial District (Broward County):

Setbacks & Open Space: 10’ on street sides, 0’ setback on all other sides, 20% minimum open space, and 80% maximum impervious area.

Parking: Industrial 1:400, office 1:250, storage/warehouse 1:600.

Landscaping: Perimeter landscape strip of 5’ wide. Industrial complexes enclosed by walls are not required to provide landscaping within the walled area. Trees, ground covers, and shrubs are not required.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to parcels on Nova Drive.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 58.

Applicable Goals, Objectives & Policies: *Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The applicant requests site plan approval for modifications to the East Broward Concrete Batch Plant. The site is located on the west side of SW 49 Way, approximately 400' north of the intersection SW 49 Way and SW 36 Street (Oakes Road). The impetus for these modifications is a Consent Order between the Florida Department of Environmental Protection and Continental Florida Materials, Inc., which requires modifications to comply with all regulations regarding the handling of waste concrete, and to better recycle and utilize on-site storm water.
2. *Buildings:* No new buildings are proposed. The plans illustrate a new water reclamation system, truck slumping racks, retention pond, and fuel tank. The most visible above ground structure is the 13' tall open steel frame structure with stairs and decking around the truck slumping area.
3. *Access and Parking:* Access is provided by the one (1) existing 40' opening to SW 49 Way. The required 33 parking spaces are provided, including two (2) handicapped spaces.
4. *Lighting:* The existing site lighting is unaffected by this proposal.
5. *Landscaping:* The site plan shows 33,049 square feet (0.759 acres) or 20.5 percent of open space (20 percent minimum required). The entrance wall is setback 10' from the property line and two (2) Wild Tamarind trees with a grouping of Cocoplum hedges are shown on the property. Within the adjacent rights-of-way West Indian Mahogany

trees, Seagrape, Cocoplum hedges, and Bahia sod being proposed. A landscape maintenance agreement to guarantee the up-keep of these materials has been provided. It is noted that the "Forman Agreement" does not require landscaping within walled industrial sites; it only requires a 5' perimeter grass strip adjacent to rights-of-way.

6. *Drainage:* The subject property lies within the Tindall Hammock Irrigation and Soil Conservation District. Approval from the District is required in order to implement the proposed drainage improvements.
7. *Compatibility:* These improvements will make the concrete batch plant more compatible with the adjacent warehouses and storage yards.

Significant Development Review Agency Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning: Revise plan to provide a minimum of 20% open space, provide correct parking calculations, and provide durable landscape materials accompanied by a landscape maintenance agreement. *(These have been provided.)*

Engineering: Delineate sight triangles, provide minimum 25' turning radii, and restore abutting swales. *(These have been provided.)*

Staff Analysis

The proposed site plan is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. The use of the site does not exceed what was anticipated by the Future Land Use Plan Map designation.

Findings of Fact

Staff finds that the site plan is in conformance with all applicable Codes and Ordinances. The development, as proposed, will be more compatible with the surrounding properties.

Staff Recommendation

Staff finds the subject application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration.

Site Plan Committee Recommendation

At the March 22, 2005, Site Plan Committee meeting, Mr. Engel made a motion, seconded by Mr. Evans, to approve subject to the staff report. (Motion carried 5-0)

Town Council Action

Exhibits

1. Future Land Use Plan Map
2. Zoning and Aerial Map
3. Site Plan

Prepared by: _____

Reviewed by: _____



